

*Acequia Madre del Rio Grande*  
*Mayordomo: Francisco Gonzales*  
*p.o. Box 85*  
*Ranchos de Taos, N.M. 87557*  
*Feb. 17, 2008*

Dear Sir,

On May 2007 I was appointed Mayordomo of the Acequia Madre del Rio Grande. After accepting such appointment I found out that there was by action of the Acequia Commission an additional Mayordomo. Therefore we had one Mayordomo for the West end of Acequia and one for the East end. At our annual meeting of 2008 the re-elected commissioner and the Commissioner whose term has not yet expired and who had established two Mayordomos for our Acequia attempted to legitimize the innovation of two Mayordomos. That effort was rejected by those present under the understanding that the by-laws do not permit it and neither does state law. Despite the rejection of the idea it was insinuated that the elected Mayordomo or the Commission may establish such innovation.

I was elected to be the Mayordomo for the Acequia Madre Del Rio Grande for the year 2008. I am deeply honored to serve in such position and as such I commit my self to assure that the duties of a Mayordomo are carried through with honor and distinction.

Because of my past involvement with this Acequia I feel that I was one of several who contributed towards the updating of our bi-laws and having them properly recorded. I unfortunately was not involved in the by-law committee that did the finalization of the bi-laws dated March 25, 2006.

I am enclosing a copy of our bi-laws for your review and advise in making sure that we are not in violation of state law. I understand that our bi-laws may be more restrictive than state statute and we can not dilute the base of state law. I am of the opinion that we have left some loop holes or omitted some language which you may feel needs correction.

The following are some additions or amendments which I feel you

can provide some guidance;

1. It is quite obvious we did not provide language for what procedures shall be followed and necessary while conducting our meeting. (i.e. Roberts rules of order or what?)
2. Authenticate those attending the meeting as paid up parciantes eligible to vote and participate.
3. All actions which require a vote shall be by secret ballot.
4. What official action must an Acequia Commision or Parciantes take so that it can deviate from state statue in the matter of having more than one Mayordomo? (see p. 2 article 1 Sec.6)
5. Article 1. Sec. 5 ... "A land owner may appoint a person to be their parciante/member represntative by Power of Attorney and accepted by the commission." in my pinion seems to be in conflict with N.M.S.A. 1978 73-2-12. "The officers of such community ... Acequias shall consist of three COMMISSIONERS and one MAYORDOMO ... each of whom shall be the owner of an interest in the ditch or the water therein."

I have attempted to locate a references within state statues that allows an Acequia or Commission to use the Power of Attorney to contradict the mandate of being a property owner. It was this same Acequia that removed a Mayordomo who did not own land despite the fact that the land belonged to his mother and he leased land from other parciantes.

6. There seems that our existing By-laws do not have a remedy